

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the First Amended
Accusation Against:**

Naheed Pyar Ali, M.D.

**Physician's and Surgeon's
Certificate No. C 54393**

Respondent.

Case No.: 800-2020-064523

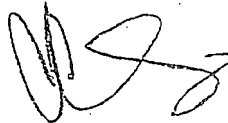
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on March 23, 2023.

IT IS SO ORDERED: February 21, 2023.

MEDICAL BOARD OF CALIFORNIA



**Laurie Rose Lubiano, J.D., Chair
Panel A**

1 ROB BONTA
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 COLLEEN M. MCGURRIN
Deputy Attorney General
4 State Bar Number 147250
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6546
Facsimile: (916) 731-2117
7 *Attorneys for Complainant*

8
9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the First Amended Accusation
13 Against:

14 **NAHEED PYAR ALI, M.D.**
435 North Bedford Drive
15 Suite 107
Beverly Hills, CA 90210

16 Physician's and Surgeon's Certificate
17 Number C 54393

18 Respondent.

Case No. 800-2020-064523

OAH No. 2021120321

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. William Prasifka (Complainant) is the Executive Director of the Medical Board of
24 California (Board). He brought this action solely in his official capacity and is represented in this
25 matter by Rob Bonta, Attorney General of the State of California, by Colleen M. McGurrin,
26 Deputy Attorney General.

27 2. Naheed Pyar Ali, M.D. (Respondent) is represented in this proceeding by attorney
28 Nicholas Jurkowitz, Esq., of Fenton Law Group, LLP, whose address is 1990 South Bundy Drive,

1 Suite 777, Los Angeles, CA 90025.

2 3. On or about October 29, 2010, the Board issued Physician's and Surgeon's Certificate
3 Number C 54393 to Naheed Pyar Ali, M.D. (Respondent). The Physician's and Surgeon's
4 Certificate was in full force and effect at all times relevant to the charges brought in First
5 Amended Accusation No. 800-2020-064523, and will expire on April 30, 2024, unless renewed.

6 **JURISDICTION**

7 4. First Amended Accusation No. 800-2020-064523 was filed before the Board, and is
8 currently pending against Respondent. The First Amended Accusation and all other statutorily
9 required documents were properly served on Respondent on February 1, 2022. Respondent
10 timely filed her Notice of Defense contesting the First Amended Accusation.

11 5. A copy of First Amended Accusation No. 800-2020-064523 is attached as exhibit A
12 and incorporated herein by reference.

13 **ADVISEMENT AND WAIVERS**

14 6. Respondent has carefully read, fully discussed with counsel, and understands the
15 charges and allegations in First Amended Accusation No. 800-2020-064523. Respondent has
16 also carefully read, fully discussed with her counsel, and fully understands the effects of this
17 Stipulated Settlement and Disciplinary Order.

18 7. Respondent is fully aware of her legal rights in this matter, including the right to a
19 hearing on the charges and allegations in the First Amended Accusation; the right to confront and
20 cross-examine the witnesses against her; the right to present evidence and to testify on her own
21 behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the
22 production of documents; the right to reconsideration and court review of an adverse decision;
23 and all other rights accorded by the California Administrative Procedure Act and other applicable
24 laws.

25 8. Respondent freely, voluntarily, knowingly, and intelligently waives and gives up each
26 and every right set forth above.

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1 CULPABILITY

2 9. Respondent admits the truth of each and every charge and allegation in Accusation
3 No. 800-2020-064523.

4 9. Respondent agrees that her Physician's and Surgeon's Certificate is subject to
5 discipline and she agrees to be bound by the Board's probationary terms as set forth in the
6 Disciplinary Order below.

7 CONTINGENCY

8 10. This stipulation shall be subject to approval by the Medical Board of California.
9 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
10 Board of California may communicate directly with the Board regarding this stipulation and
11 settlement, without notice to or participation by Respondent or her counsel. By signing the
12 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek
13 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
14 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
15 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
16 action between the parties, and the Board shall not be disqualified from further action by having
17 considered this matter.

18 11. Respondent agrees that if she ever petitions for early termination or modification of
19 probation, or if an accusation and/or petition to revoke probation is filed against her before the
20 Board, all of the charges and allegations contained in First Amended Accusation No. 800-2020-
21 064523 shall be deemed true, correct and fully admitted by Respondent for purposes of any such
22 proceeding or any other licensing proceeding involving Respondent in the State of California.

23 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
24 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
25 signatures thereto, shall have the same force and effect as the originals.

26 13. In consideration of the foregoing admissions and stipulations, the parties agree that
27 the Board may, without further notice or opportunity to be heard by the Respondent, issue and
28 enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate Number C 54393 issued to Respondent NAHEED PYAR ALI, M.D. is revoked. However, the revocation is stayed and Respondent is placed on probation for five (5) years on the following terms and conditions:

1. **EDUCATION COURSE.** Within 60 calendar days of the effective date of this Decision, and on an annual basis thereafter, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) in the areas of 1) Professionalism, 2) Ethics, 3) Professional Development, and 4) Dishonesty in the Medical Profession or any other area(s) determined by the Board or its designee, which shall not be less than 40 hours per year, for each year of probation. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified. The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for 65 hours of CME of which 40 hours were in satisfaction of this condition.

2. **PROFESSIONALISM PROGRAM (ETHICS COURSE).** Within 60 calendar days of the effective date of this Decision, Respondent shall enroll in a professionalism program, that meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1. Respondent shall participate in and successfully complete that program. Respondent shall provide any information and documents that the program may deem pertinent. Respondent shall successfully complete the classroom component of the program not later than six (6) months after Respondent's initial enrollment, and the longitudinal component of the program not later than the time specified by the program, but no later than one (1) year after attending the classroom component. The professionalism program shall be at Respondent's expense and shall be in addition to the Continuing Medical Education (CME) requirements for renewal of licensure and shall be in addition to the education course(s) required by Condition 3.

A professionalism program taken after the acts that gave rise to the charges in the

1 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
2 or its designee, be accepted towards the fulfillment of this condition if the program would have
3 been approved by the Board or its designee had the program been taken after the effective date of
4 this Decision.

5 Respondent shall submit a certification of successful completion to the Board or its
6 designee not later than 15 calendar days after successfully completing the program or not later
7 than 15 calendar days after the effective date of the Decision, whichever is later.

8 3. PROFESSIONAL BOUNDARIES PROGRAM. Within 60 calendar days from the
9 effective date of this Decision, Respondent shall enroll in a professional boundaries program
10 approved in advance by the Board or its designee. Respondent, at the program's discretion, shall
11 undergo and complete the program's assessment of Respondent's competency, mental health
12 and/or neuropsychological performance, and at minimum, a 24 hour program of interactive
13 education and training in the area of boundaries, which takes into account data obtained from the
14 assessment and from the Decision(s), Accusation(s) and any other information that the Board or
15 its designee deems relevant. The program shall evaluate Respondent at the end of the training
16 and the program shall provide any data from the assessment and training as well as the results of
17 the evaluation to the Board or its designee.

18 Failure to complete the entire program not later than six (6) months after Respondent's
19 initial enrollment shall constitute a violation of probation unless the Board or its designee agrees
20 in writing to a later time for completion. Based on Respondent's performance in and evaluations
21 from the assessment, education, and training, the program shall advise the Board or its designee
22 of its recommendation(s) for additional education, training, psychotherapy and other measures
23 necessary to ensure that Respondent can practice medicine safely. Respondent shall comply with
24 program recommendations. At the completion of the program, Respondent shall submit to a final
25 evaluation. The program shall provide the results of the evaluation to the Board or its designee.
26 The professional boundaries program shall be at Respondent's expense and shall be in addition to
27 the Continuing Medical Education (CME) requirements for renewal of licensure and shall be in
28 addition to the education course(s) required by Condition 3.

1 The program has the authority to determine whether or not Respondent successfully
2 completed the program.

3 A professional boundaries course taken after the acts that gave rise to the charges in the
4 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
5 or its designee, be accepted towards the fulfillment of this condition if the course would have
6 been approved by the Board or its designee had the course been taken after the effective date of
7 this Decision.

8 If Respondent fails to complete the program within the designated time period, Respondent
9 shall cease the practice of medicine within three (3) calendar days after being notified by the
10 Board or its designee that Respondent failed to complete the program.

11 4. PSYCHIATRIC EVALUATION. Within 30 calendar days of the effective date of
12 this Decision, and on whatever periodic basis thereafter may be required by the Board or its
13 designee, Respondent shall undergo and complete a psychiatric evaluation (and psychological
14 testing, if deemed necessary) by a Board-appointed board certified psychiatrist, who shall
15 consider any information provided by the Board or designee and any other information the
16 psychiatrist deems relevant, and shall furnish a written evaluation report to the Board or its
17 designee. Psychiatric evaluations conducted prior to the effective date of the Decision shall not
18 be accepted towards the fulfillment of this requirement. Respondent shall pay the cost of all
19 psychiatric evaluations and psychological testing.

20 Respondent shall comply with all restrictions or conditions recommended by the evaluating
21 psychiatrist within 15 calendar days after being notified by the Board or its designee.

22 5. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
23 Respondent shall submit to the Board or its designee for prior approval the name and
24 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
25 has a doctoral degree in psychology and at least five years of postgraduate experience in the
26 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall
27 undergo and continue psychotherapy treatment, including any modifications to the frequency of
28 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

1 The psychotherapist shall consider any information provided by the Board or its designee
2 and any other information the psychotherapist deems relevant and shall furnish a written
3 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
4 psychotherapist with any information and documents that the psychotherapist may deem
5 pertinent.

6 Respondent shall have the treating psychotherapist submit quarterly status reports to the
7 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
8 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
9 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
10 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
11 period of probation shall be extended until the Board determines that Respondent is mentally fit
12 to resume the practice of medicine without restrictions.

13 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

14 6. MONITORING - PRACTICE. Within 30 calendar days of the effective date of this
15 Decision, Respondent shall submit to the Board or its designee for prior approval as a practice
16 monitor, the name and qualifications of one or more licensed physicians and surgeons whose
17 licenses are valid and in good standing, and who are preferably American Board of Medical
18 Specialties (ABMS) certified. A monitor shall have no prior or current business or personal
19 relationship with Respondent, or other relationship that could reasonably be expected to
20 compromise the ability of the monitor to render fair and unbiased reports to the Board, including
21 but not limited to any form of bartering, shall be in Respondent's field of practice, and must agree
22 to serve as Respondent's monitor. Respondent shall pay all monitoring costs.

23 The Board or its designee shall provide the approved monitor with copies of the Decision(s)
24 and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of receipt of the
25 Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall submit a signed
26 statement that the monitor has read the Decision(s) and Accusation(s), fully understands the role
27 of a monitor, and agrees or disagrees with the proposed monitoring plan. If the monitor disagrees
28 with the proposed monitoring plan, the monitor shall submit a revised monitoring plan with the

1 signed statement for approval by the Board or its designee.

2 Within 60 calendar days of the effective date of this Decision, and continuing throughout
3 probation, Respondent's practice shall be monitored by the approved monitor. Respondent shall
4 make all records available for immediate inspection and copying on the premises by the monitor
5 at all times during business hours and shall retain the records for the entire term of probation.

6 If Respondent fails to obtain approval of a monitor within 60 calendar days of the effective
7 date of this Decision, Respondent shall receive a notification from the Board or its designee to
8 cease the practice of medicine within three (3) calendar days after being so notified. Respondent
9 shall cease the practice of medicine until a monitor is approved to provide monitoring
10 responsibility.

11 The monitor(s) shall submit a quarterly written report to the Board or its designee which
12 includes an evaluation of Respondent's performance, indicating whether Respondent's practices
13 are within the standards of practice of medicine, and whether Respondent is practicing medicine
14 safely, billing appropriately or both. It shall be the sole responsibility of Respondent to ensure
15 that the monitor submits the quarterly written reports to the Board or its designee within 10
16 calendar days after the end of the preceding quarter.

17 If the monitor resigns or is no longer available, Respondent shall, within 5 calendar days of
18 such resignation or unavailability, submit to the Board or its designee, for prior approval, the
19 name and qualifications of a replacement monitor who will be assuming that responsibility within
20 15 calendar days. If Respondent fails to obtain approval of a replacement monitor within 60
21 calendar days of the resignation or unavailability of the monitor, Respondent shall receive a
22 notification from the Board or its designee to cease the practice of medicine within three (3)
23 calendar days after being so notified. Respondent shall cease the practice of medicine until a
24 replacement monitor is approved and assumes monitoring responsibility.

25 In lieu of a monitor, Respondent may participate in a professional enhancement program
26 approved in advance by the Board or its designee that includes, at minimum, quarterly chart
27 review, semi-annual practice assessment, and semi-annual review of professional growth and
28 education. Respondent shall participate in the professional enhancement program at Respondent's

1 expense during the term of probation.

2 7. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
3 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
4 Chief Executive Officer at every hospital where privileges or membership are extended to
5 Respondent, at any other facility where Respondent engages in the practice of medicine,
6 including all physician and locum tenens registries or other similar agencies, and to the Chief
7 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
8 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
9 calendar days.

10 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

11 8. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
12 NURSES. During probation, Respondent is not prohibited from supervising physician assistants
13 and advanced practice nurses.

14 9. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
15 governing the practice of medicine in California and remain in full compliance with any court
16 ordered criminal probation, payments, and other orders.

17 10. INVESTIGATION/ENFORCEMENT COST RECOVERY. Respondent is hereby
18 ordered to reimburse the Board its costs of enforcement, including, but not limited to, legal
19 reviews, amended accusations, additional legal and investigative work, as applicable, in the
20 amount of \$11,000 (eleven thousand dollars and no cents). Costs shall be payable to the Medical
21 Board of California. Failure to pay such costs shall be considered a violation of probation.

22 Payment must be made in full within 30 calendar days of the effective date of the Order, or
23 by a payment plan approved by the Medical Board of California. Any and all requests for a
24 payment plan shall be submitted in writing by Respondent to the Board. Failure to comply with
25 the payment plan shall be considered a violation of probation.

26 The filing of bankruptcy by Respondent shall not relieve Respondent of the responsibility
27 to repay investigation and enforcement costs.

28 11. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations

1 under penalty of perjury on forms provided by the Board, stating whether there has been
2 compliance with all the conditions of probation.

3 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
4 of the preceding quarter.

5 12. GENERAL PROBATION REQUIREMENTS.

6 Compliance with Probation Unit

7 Respondent shall comply with the Board's probation unit.

8 Address Changes

9 Respondent shall, at all times, keep the Board informed of Respondent's business and
10 residence addresses, email address (if available), and telephone number. Changes of such
11 addresses shall be immediately communicated in writing to the Board or its designee. Under no
12 circumstances shall a post office box serve as an address of record, except as allowed by Business
13 and Professions Code section 2021, subdivision (b).

14 Place of Practice

15 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
16 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
17 facility.

18 License Renewal

19 Respondent shall maintain a current and renewed California physician's and surgeon's
20 license.

21 Travel or Residence Outside California

22 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
23 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty
24 (30) calendar days.

25 In the event Respondent should leave the State of California to reside or to practice
26 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
27 departure and return.

28 13. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be

1 available in person upon request for interviews either at Respondent's place of business or at the
2 probation unit office, with or without prior notice throughout the term of probation.

3 14. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
4 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
5 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
6 defined as any period of time Respondent is not practicing medicine as defined in Business and
7 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
8 patient care, clinical activity or teaching, or other activity as approved by the Board. If
9 Respondent resides in California and is considered to be in non-practice, Respondent shall
10 comply with all terms and conditions of probation. All time spent in an intensive training
11 program which has been approved by the Board or its designee shall not be considered non-
12 practice and does not relieve Respondent from complying with all the terms and conditions of
13 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
14 on probation with the medical licensing authority of that state or jurisdiction shall not be
15 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
16 period of non-practice.

17 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
18 months, Respondent shall successfully complete the Federation of State Medical Boards's Special
19 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
20 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
21 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

22 Respondent's period of non-practice while on probation shall not exceed two (2) years.

23 Periods of non-practice will not apply to the reduction of the probationary term.

24 Periods of non-practice for a Respondent residing outside of California will relieve
25 Respondent of the responsibility to comply with the probationary terms and conditions with the
26 exception of this condition and the following terms and conditions of probation: Obey All Laws;
27 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
28 Controlled Substances; and Biological Fluid Testing..

1 15. COMPLETION OF PROBATION. Respondent shall comply with all financial
2 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
3 completion of probation. This term does not include cost recovery, which is due within 30
4 calendar days of the effective date of the Order, or by a payment plan approved by the Medical
5 Board and timely satisfied. Upon successful completion of probation, Respondent's certificate
6 shall be fully restored.

7 16. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
8 of probation is a violation of probation. If Respondent violates probation in any respect, the
9 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
10 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
11 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
12 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
13 the matter is final.

14 17. LICENSE SURRENDER. Following the effective date of this Decision, if
15 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
16 the terms and conditions of probation, Respondent may request to surrender his or her license.
17 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
18 determining whether or not to grant the request, or to take any other action deemed appropriate
19 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
20 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
21 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
22 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
23 application shall be treated as a petition for reinstatement of a revoked certificate.

24 18. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
25 with probation monitoring each and every year of probation, as designated by the Board, which
26 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
27 California and delivered to the Board or its designee no later than January 31 of each calendar
28 year.

1 19. FUTURE ADMISSIONS CLAUSE. If Respondent should ever apply or reapply for
2 a new license or certification, or petition for reinstatement of a license, or petitions the Board for
3 early termination or modification of probation, or if an accusation and/or petition to revoke
4 probation is filed against Respondent before the Board, or by any other health care licensing
5 action agency in the State of California, all of the charges and allegations contained in First
6 Amended Accusation No. 800-2020-064523 shall be deemed to be true, correct, and admitted by
7 Respondent for the purpose of any such Petition, Statement of Issues or any other proceeding
8 seeking to deny, restrict or reinstate a license.

9 ACCEPTANCE

10 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
11 discussed it with my attorney, Nicholas Jurkowitz, Esq. I understand the stipulation and the
12 effect it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated
13 Settlement and Disciplinary Order freely, voluntarily, knowingly, and intelligently, and agree to
14 be bound by the Decision and Order of the Medical Board of California.

15
16 DATED: 10/27/22

Naheed Pyar Ali, M.D.
NAHEED PYAR ALI, M.D.
Respondent

17
18
19 I have read and fully discussed with Respondent Naheed Pyar Ali, M.D. the terms and
20 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
21 I approve its form and content.

22
23 DATED: 10-28-22

Nicholas Jurkowitz, Esq.
NICHOLAS JURKOWITZ, ESQ.
Attorney for Respondent

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

DATED: October 28, 2022

Respectfully submitted,

ROB BONTA
Attorney General of California
ROBERT MCKIM BELL
Supervising Deputy Attorney General

Colleen M. McGurrin

COLLEEN M. MCGURRIN
Deputy Attorney General
Attorneys for Complainant

LA2020602722
65503672.docx

Exhibit A

First Amended Accusation No. 800-2020-064523

1 ROB BONTA
Attorney General of California
2 ROBERT MCKIM BELL
Supervising Deputy Attorney General
3 COLLEEN M. MCGURRIN
Deputy Attorney General
4 State Bar Number 147250
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Attorneys for Complainant
8

9
10 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the First Accusation Against:

Case No. 800-2020-064523

14 NAHEED PYAR ALI, M.D.
15 435 North Bedford Drive, Suite 107
Beverly Hills, California 90210

FIRST AMENDED ACCUSATION

16 Physician's and Surgeon's Certificate Number
17 C 54393,

18 Respondent.
19
20

21 **PARTIES**

22 1. William Prasifka (Complainant) brings this First Amended Accusation solely in his
23 official capacity as the Executive Director of the Medical Board of California (Board).

24 2. On October 29, 2010, the Board issued Physician's and Surgeon's Certificate Number
25 C 54393 to Naheed Pyar Ali, M.D. (Respondent). That license was in full force and effect at all
26 times relevant to the charges brought herein and will expire on April 30, 2022, unless renewed.

27 //

28 //

JURISDICTION

3. This First Amended Accusation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 22 of the Code states: "Board" as used in any provisions of this code, refers to the board in which the administration of the provision is vested, and unless otherwise expressly provided, shall include "division," "examining committee," and "agency."

5. Section 2227 of the Code provides, in pertinent part:

(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

(1) Have . . . her license revoked upon order of the board.

(2) Have . . . her right to practice suspended for a period not to exceed one year upon order of the board.

(3) Be placed on probation and be required to pay the costs of probation monitoring upon order of the board.

(4) Be publicly reprimanded by the board. The public reprimand may include a requirement that the licensee complete relevant educational courses approved by the board.

(5) Have any other action taken in relation to discipline as part of an order of probation, as the board or an administrative law judge may deem proper.

(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical review or advisory conferences, professional competency examinations, continuing education activities, and cost reimbursement associated therewith that are agreed to with the board and successfully completed by the licensee, or other matters made confidential or privileged by existing law, is deemed public, and shall be made available to the public by the board pursuant to Section 803.1.

6. Section 2220 of the Code provides, in pertinent part:

Except as otherwise provided by law, the board may take action against all persons guilty of violating this chapter. The board shall enforce and administer this article as to physician and surgeon certificate holders, . . . and the board shall have all the powers granted in this chapter for these purposes including, but not limited to:

(a) Investigating complaints from . . . other licensees, from health care facilities, . . . that a physician and surgeon may be guilty of unprofessional conduct.

(b) . . . (c).

1
2 7. Section 2230.5 of the Code provides, in pertinent part:

3 (a) Except as provided in subdivision . . . (c) . . . any accusation filed against a
4 licensee pursuant to Section 11503 of the Government Code shall be filed within
5 three years after the board, or a division thereof, discovers the act or omission alleged
6 as the ground for disciplinary action, or within seven years after the act or omission
7 alleged as the ground for disciplinary action occurs, whichever occurs first.

8 (b)

9 (c) An accusation filed against a licensee pursuant to Section 11503 of the
10 Government Code alleging unprofessional conduct based on incompetence, gross
11 negligence, or repeated negligent acts of the licensee is not subject to the limitation
12 provided for by subdivision (a) upon proof that the licensee intentionally concealed
13 from discovery his or her incompetence, gross negligence, or repeated negligent acts.

14 (d) . . . (f).

15 8. Section 2228 of the Code provides, in pertinent part:

16 The authority of the board . . . to discipline a licensee by placing . . . her on
17 probation includes, but is not limited to, the following:

18 (a) Requiring the licensee to obtain additional professional training and to pass
19 an examination upon the completion of the training. The examination may be written
20 or oral, or both, and maybe a practical or clinical examination, or both, at the option
21 of the board or the administrative law judge.

22 (b) Requiring the licensee to submit to a complete diagnostic examination by
23 one or more physicians and surgeons appointed by the board. If an examination is
24 ordered, the board shall receive and consider any other report of a complete
25 diagnostic examination given by one or more physicians and surgeons of the
26 licensee's choice.

27 (c) Restricting or limiting the extent, scope, or type of practice of the licensee,
28 including requiring notice to applicable patients that the licensee is unable to perform
the indicated treatment, where appropriate.

(d) Providing the option of alternative community service in cases other than
violations relating to quality of care.

29 STATUTORY PROVISIONS

30 9. Section 2234 of the Code provides, in pertinent part:

31 The board shall take action against any licensee who is charged with
32 unprofessional conduct. In addition to other provisions of this article, unprofessional
33 conduct includes, but is not limited to, the following:

34 (a) Violating or attempting to violate, directly or indirectly, assisting in or
35 abetting the violation of, or conspiring to violate any provision of this chapter.

1 (b) Gross negligence.

2 (c) . . . (d).

3 (e) The commission of any act involving dishonesty or corruption that is
4 substantially related to the qualifications, functions, or duties of a physician and
5 surgeon.

6 (f) Any action or conduct that would have warranted the denial of a certificate.

7 (g)

8 10. Section 2261 of the Code provides, in pertinent part:

9 Knowingly making or signing any certificate or other document directly or
10 indirectly related to the practice of medicine . . . which falsely represents the
11 existence or nonexistence of a state of facts, constitutes unprofessional conduct.

12 11. Section 2289 of the Code provides, in pertinent part: "The impersonation of another
13 licensed practitioner . . . to engage in the practice of medicine constitutes unprofessional
14 conduct."

15 12. Section 581 of the Code provides, in pertinent part:

16 No person . . . shall . . . by any unlawful means or method, or have in possession any .
17 . . writing with intent that it shall be used as evidence of the holder's qualifications to
18 practice as a physician and surgeon . . . any other system or mode of treating the sick or
19 afflicted, as provided in the Medical Practice Act, Chapter 5 (commencing with Section
20 2000)

21 13. Section 582 of the Code provides, in pertinent part:

22 No person . . . shall use or attempt to use . . . any other writing which has been . . .
23 counterfeited . . as to character or color of certificate, to practice as a physician and surgeon
24 . . . or to practice any other system or mode of treating the sick or afflicted, as provided in
25 the Medical Practice Act, Chapter 5 (commencing with Section 2000)

26 COST RECOVERY

27 14. Effective on January 1, 2022, section 125.3 of the Code was amended to
28 provide as follows:

(a) Except as otherwise provided by law, in any order issued in resolution of a
disciplinary proceeding before any board within the department or before the
Osteopathic Medical Board, upon request of the entity bringing the proceeding, the
administrative law judge may direct a licensee found to have committed a violation or
violations of the licensing act to pay a sum not to exceed the reasonable costs of the
investigation and enforcement of the case.

(b) In the case of a disciplined licensee that is a corporation or a partnership, the order
may be made against the licensed corporate entity or licensed partnership.

1 (c) A certified copy of the actual costs, or a good faith estimate of costs where actual
2 costs are not available, signed by the entity bringing the proceeding or its designated
3 representative shall be prima facie evidence of reasonable costs of investigation and
4 prosecution of the case. The costs shall include the amount of investigative and
5 enforcement costs up to the date of the hearing, including, but not limited to, charges
6 imposed by the Attorney General.

7 (d) The administrative law judge shall make a proposed finding of the amount of
8 reasonable costs of investigation and prosecution of the case when requested pursuant
9 to subdivision (a). The finding of the administrative law judge with regard to costs
10 shall not be reviewable by the board to increase the cost award. The board may
11 reduce or eliminate the cost award, or remand to the administrative law judge if the
12 proposed decision fails to make a finding on costs requested pursuant to subdivision
13 (a).

14 (e) If an order for recovery of costs is made and timely payment is not made as
15 directed in the board's decision, the board may enforce the order for repayment in any
16 appropriate court. This right of enforcement shall be in addition to any other rights
17 the board may have as to any licensee to pay costs.

18 (f) In any action for recovery of costs, proof of the board's decision shall be
19 conclusive proof of the validity of the order of payment and the terms for payment.

20 (g) (1) Except as provided in paragraph (2), the board shall not renew or
21 reinstate the license of any licensee who has failed to pay all of the costs ordered
22 under this section.

23 (2) Notwithstanding paragraph (1), the board may, in its discretion, conditionally
24 renew or reinstate for a maximum of one year the license of any licensee who
25 demonstrates financial hardship and who enters into a formal agreement with the
26 board to reimburse the board within that one-year period for the unpaid costs.

27 (h) All costs recovered under this section shall be considered a reimbursement for
28 costs incurred and shall be deposited in the fund of the board recovering the costs to
be available upon appropriation by the Legislature.

(i) Nothing in this section shall preclude a board from including the recovery of the
costs of investigation and enforcement of a case in any stipulated settlement.

(j) This section does not apply to any board if a specific statutory provision in that
board's licensing act provides for recovery of costs in an administrative disciplinary
proceeding.¹

FIRST CAUSE FOR DISCIPLINE

(Knowingly Making or Signing Any Document Related to the
Practice of Medicine Containing False Representations)

15. Respondent Naheed Pyar Ali, M.D. is subject to disciplinary action for unprofessional

¹ Effective January 1, 2022, subdivision (k) of Section 125.3, which exempted physicians
and surgeons from paying recovery of the costs of investigation and prosecution by the Board,
was repealed.

1 conduct under section 2261 of the Code in that she knowingly made and signed documents
2 related to the practice of medicine, which falsely represented the existence of the state of facts.
3 The facts and circumstances are as follows:

4 16. On or about May 7, 2019, Respondent filed an initial application with Cedars-Sinai
5 Health System Medical Center (Cedars-Sinai) in order to obtain hospital staff privileges.

6 17. In support of her application for staff membership, Respondent subsequently
7 provided references from four physicians with whom she claimed to have worked. One was from
8 Maduri Koka, M.D., dated August 29, 2019, who claimed to have known Respondent for three
9 years, "was a team lead and supervised Dr. Ali's work," and had observed her from September 1,
10 2016 to August 1, 2019, at Little Company of Mary in Torrance rating her as "above average" in
11 all categories. Respondent submitted another reference from David Turner, M.D., dated August
12 29, 2019, who claimed he had known Respondent for two to three years and had observed her
13 from January 1, 2016 to January 1, 2018, at the University of California Irvine (UCI), and rated
14 her as "above average" in all categories. Respondent submitted another reference from Andrea
15 Cizova, M.D., dated August 30, 2019, who claimed he had observed her from March 1, 2011 to
16 June 1, 2017, at Desert Valley Hospital, and rated her as "above average" in all categories.
17 Respondent further submitted a reference from Michele Smith, M.D., dated August 30, 2019, who
18 claimed she had observed Respondent from June 15, 2017 to June 15, 2019, at Little Company of
19 Mary in Torrance, and rated her as "above average" in all categories.

20 18. As part of Cedar-Sinai's credentialing review process, the staff noticed that all four of
21 these references came from the same Internet Protocol (IP) address, originating from a location in
22 Westwood, California. The staff also called the hospitals where the references stated they had
23 worked with Respondent and found that the hospitals had no idea who the four references were.

24 19. The staff also sent follow-up e-mails to these four references asking for clarification
25 of some of the information contained in their Professional Reference Evaluation Forms submitted
26 on behalf of Respondent. On or about September 27, 2019, staff sent an e-mail to Dr. Cizova
27 requesting clarification regarding the period she claimed to observed Respondent at Desert Valley
28 as Respondent's affiliation there appeared to have begun on November 15, 2013, not March 1,

1 2011 to November 14, 2013, as indicated on the reference evaluation form. The e-mail further
2 requested clarification regarding Dr. Cizova's alleged observation of Respondent there from
3 February 21, 2015 to June 1, 2017, as Respondent's affiliation there appeared to have ended on
4 February 20, 2015. E-mail responses, purporting to be from Dr. Cizova, clarified that Respondent
5 had worked at Desert Valley briefly in 2011, did more consistent work there in 2013 until 2015,
6 and her last clinical interaction with Respondent was in 2017 or 2018, at two other locum
7 assignments, at Little Company of Mary in Torrance; however, this facility was not listed on the
8 reference form.

9 20. On or about September 27, 2019, the credentialing staff e-mailed Dr. Turner
10 requesting clarification regarding his observations of Respondent from September 1, 2017 to
11 January 1, 2018, at UCI as her affiliation there appeared to have ended on August 31, 2017. An
12 e-mail, purporting to be from Dr. Turner, replied that "the dates on reference form kept defaulting
13 back to 1/1/16-1/1/18. Perhaps a glitch in a system because I tried few times to correct them, but
14 it would not save. I corrected them through in my e-mail reply i.e., 7/1/2016 through 7/30/2017."

15 21. On or about September 27, 2019, the credentialing staff e-mailed Dr. Smith
16 requesting clarification regarding the observations of Respondent from February 22, 2019 to June
17 15, 2019, at Little Company of Mary in Torrance as her affiliation there appeared to have ended
18 on February 21, 2019. An e-mail, purporting to be from Dr. Smith, replied that Respondent
19 continues to work at health care partner's Little Company of Mary affiliated urgent care center.

20 22. On or about October 2, 2019, the credentialing staff e-mailed Dr. Koka requesting
21 clarification regarding the observations of Respondent from February 22, 2019 to August 1, 2019,
22 at Little Company of Mary in Torrance as her affiliation there appeared to have ended on
23 February 21, 2019. The e-mail further requested that the doctor confirm the spelling of their first
24 name as the form was signed Maduri. An e-mail response, purportedly from Dr. Koka, replied
25 that they had worked together at "health care partner's urgent care" at Little Company of Mary
26 hospital patients, and that "madhu is short for mandhuri which is my first name"; however, the
27 reference form indicates the name and signature of "Maduri Koka" not Madhu or Madhuri.

28 23. As a further part of the credentialing review process, the staff conducted a license

1 search of the Medical Board of California's (Board's) website, which revealed that there was no,
2 and had not been, any Michele Smith, Andrea Cizova, or Madhuri Kokas licensed in the State of
3 California. In addition, there were three David Turners on the Board's website; however, one
4 was deceased, another had his license canceled more than five years earlier, and the other lived in
5 Florida and had surrendered his California license to avoid disciplinary action.

6 24. On January 13, 2020, Cedars-Sinai sent Respondent a detailed letter asking her to
7 explain these discrepancies within thirty days. Instead of offering an explanation, on January 16,
8 2020, Respondent withdrew her application for medical staff membership.

9 25. When interviewed about the circumstances of her application and the four references,
10 Respondent stated, "I was just getting overwhelmed and I did a silly mistake. I just made these
11 references up so that my file can be - - can be moved on," admitting that she fabricated the
12 identity of the four references. She further admitted to making up the e-mail addresses of the four
13 references. When the hospital staff was e-mailing the four references asking for clarifications, she
14 was the one actually responding, impersonating those doctors in support of her application for
15 staff privileges. When asked if she knew this was a violation, she replied that she "didn't even
16 give it a thought" and "didn't realize it would be - it would be such a big deal at that time." She
17 further admitted that she "never met anyone with [the name of Madhuri Koka]" at Little
18 Company of Mary Hospital, but it was a very common name in her culture, so she "just made it
19 up" "[w]hatever came to my mind is what I just put together."

20 26. Respondent's acts constitute unprofessional conduct. She fabricated professional
21 references and impersonated those references by supplying falsified fabricated evaluations. She
22 then signed those evaluations, which she then submitted to a medical or professional credentialing
23 office to obtain hospital staff privileges.

24 **SECOND CAUSE FOR DISCIPLINE**

25 (Dishonest and Corrupt Acts Substantially Related)

26 27. By reason of the facts set forth above in paragraphs 15 through 24, Respondent
27 Naheed Pyar Ali, M.D. is subject to disciplinary action under section 2234, subdivision (e), of the
28 Code in that she engaged in dishonest and corrupt acts substantially related to the qualifications,

1 functions, or duties of a physician and surgeon when she fabricated professional references and
2 evaluations, impersonated those references by creating false e-mail addresses and responding to
3 the hospital credentialing staff e-mails supplying further falsified information in order to obtain
4 hospital staff privileges.

5 **THIRD CAUSE FOR DISCIPLINE**

6 (Impersonating Another Licensee)

7 28. By reason of the facts set forth above in paragraphs 15 through 24, Respondent
8 Naheed Pyar Ali, M.D., is subject to disciplinary action under section 2289 for unprofessional
9 conduct for the impersonation of the four professional references she submitted on her behalf in
10 order to obtain hospital staff privileges.

11 **FOURTH CAUSE FOR DISCIPLINE**

12 (Procurement by Unlawful Means of a Writing

13 with Intent It Be Used as Evidence of Qualifications)

14 29. By reason of the facts set forth above in paragraphs 15 through 24, Respondent
15 Naheed Pyar Ali, M.D. is subject to disciplinary action for unprofessional conduct under section
16 581 of the Code when she possessed or procured by unlawful means a writing with intent that it
17 be used as evidence of her qualifications to practice as a physician and surgeon in order to obtain
18 hospital staff privileges.

19 **FIFTH CAUSE FOR DISCIPLINE**

20 (Use of Counterfeited Documents)

21 30. By reason of the facts set forth above in paragraphs 15 through 24, Respondent
22 Naheed Pyar Ali, M.D. is subject to disciplinary action for unprofessional conduct under section
23 582 of the Code for her use or attempt to use writings which had been counterfeited as to her
24 character to practice as a physician and surgeon and obtain hospital staff privileges.

25 **SIXTH CAUSE FOR DISCIPLINE**

26 (Gross Negligence)

27 31. By reason of the facts set forth above in paragraphs 15 through 24, Respondent
28 Naheed Pyar Ali, M.D., is subject to disciplinary action under section 2234, subdivision (b), of

1 the Code for gross negligence when she fabricated professional reference and impersonated those
2 references by completing falsified evaluations to a credentialing office, and responded to
3 communications from the credentialing office while impersonating the references.

4 **SEVENTH CAUSE FOR DISCIPLINE**

5 (General Unprofessional Conduct)

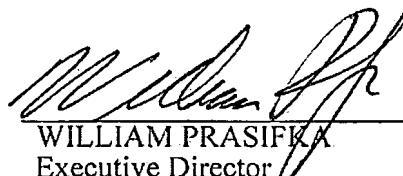
6 32. By reason of the facts set forth above in paragraphs 15 through 24, Respondent
7 Naheed Pyar Ali, M.D. is subject to disciplinary action under section 2234, subdivisions (a) and
8 (f), of the Code for unprofessional conduct.

9 **PRAYER**

10 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Medical Board of California issue a decision:

- 12 1. Revoking or suspending Physician's and Surgeon's Certificate Number C 54393,
13 issued to Respondent Naheed Pyar Ali, M.D.;
- 14 2. Revoking, suspending, or denying approval of Respondent Naheed Pyar Ali, M.D.'s
15 authority to supervise physician assistants and advanced practice nurses;
- 16 3. Ordering Respondent Naheed Pyar Ali, M.D. to pay the Board reasonable costs of
17 investigation and prosecution incurred after January 1, 2022;
- 18 4. If placed on probation, ordering Respondent Naheed Pyar Ali, M.D. to pay the Board
19 the costs of probation monitoring; and
- 20 5. Taking such other and further action as deemed necessary and proper.

21
22 DATED: FEB 01 2022



WILLIAM PRASIFKA
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California

25
26 *Complainant*

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